

Reorg. Plan No. I of 1939, §§201, 206, 301, 305, 306, eff. July 1, 1939, 4 F.R. 2728-2730, 53 Stat. 1424-1428.

§ 723. Repealed. Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 648

Section, acts May 12, 1933, ch. 30, §3, 46 Stat. 56; Feb. 15, 1934, ch. 13, §1, 48 Stat. 351, was enacted as temporary legislation during the economic emergency in 1933.

§§ 724 to 728. Omitted

CODIFICATION

Sections, acts May 12, 1933, ch. 30, §§4-8, 48 Stat. 56-58; Feb. 15, 1934, ch. 13, §1, 48 Stat. 351, were enacted as temporary legislation during the economic emergency in 1933.

CHAPTER 16A—EMERGENCY PETROLEUM ALLOCATION

§§ 751 to 760h. Omitted

CODIFICATION

Sections 751 to 760h were omitted pursuant to section 760g of this title.

Section 751, Pub. L. 93-159, §2, Nov. 27, 1973, 87 Stat. 628, provided Congressional findings and declaration of purpose.

Section 752, Pub. L. 93-159, §3, Nov. 27, 1973, 87 Stat. 628, provided definitions for this chapter.

Section 753, Pub. L. 93-159, §4, Nov. 27, 1973, 87 Stat. 629; Pub. L. 93-511, Dec. 5, 1974, 88 Stat. 1608; Pub. L. 94-99, §2, Sept. 29, 1975, 89 Stat. 481; Pub. L. 94-133, §1, Nov. 14, 1975, 89 Stat. 694; Pub. L. 94-163, title IV, §§401(b)(1)-(3), 402(a), 403(a), 451, Dec. 22, 1975, 89 Stat. 946, 948; Pub. L. 96-294, title II, §274, June 30, 1980, 94 Stat. 711, provided for mandatory allocation.

Section 754, Pub. L. 93-159, §5, Nov. 27, 1973, 87 Stat. 633; Pub. L. 94-163, title IV, §452, Dec. 22, 1975, 89 Stat. 948, provided for administration, enforcement, delegation of authority, and civil and criminal penalties.

Section 755, Pub. L. 93-159, §6, Nov. 27, 1973, 87 Stat. 633; Pub. L. 94-163, title IV, §453, Dec. 22, 1975, 89 Stat. 949, related to impact of this chapter on other laws.

Section 756, Pub. L. 93-159, §7, Nov. 27, 1973, 87 Stat. 635, related to monitoring of program by Federal Trade Commission.

Section 757, Pub. L. 93-159, §8, as added Pub. L. 94-163, title IV, §401(a), Dec. 22, 1975, 89 Stat. 941; amended Pub. L. 94-385, title I, §§121, 122, Aug. 14, 1976, 90 Stat. 1132, 1133, related to oil pricing policy.

Section 758, Pub. L. 93-159, §9, as added Pub. L. 94-163, title IV, §401(a), Dec. 22, 1975, 89 Stat. 946, related to passthroughs of cost price decreases.

Section 759, Pub. L. 93-159, §10, as added Pub. L. 94-163, title IV, §402(c), Dec. 22, 1975, 89 Stat. 947, limited pricing authority of President.

Section 760, Pub. L. 93-159, §11, as added Pub. L. 94-163, title IV, §454, Dec. 22, 1975, 89 Stat. 950, related to reevaluation and promulgation of amendments to regulations and report to Congress.

Section 760a, Pub. L. 93-159, §12, as added Pub. L. 94-163, title IV, §455, Dec. 22, 1975, 89 Stat. 950, related to conversion mechanism to standby authorities.

Section 760b, Pub. L. 93-159, §13, as added Pub. L. 94-163, title IV, §456, Dec. 22, 1975, 89 Stat. 952, related to standby purchase authority of President.

Section 760c, Pub. L. 93-159, §14, as added Pub. L. 94-163, title IV, §457, Dec. 22, 1975, 89 Stat. 953, related to direct Presidential control of refinery operations.

Section 760d, Pub. L. 93-159, §15, as added Pub. L. 94-163, title IV, §458, Dec. 22, 1975, 89 Stat. 953, related to Presidential control of domestic oil and oil product inventories.

Section 760e, Pub. L. 93-159, §16, as added Pub. L. 94-163, title IV, §459, Dec. 22, 1975, 89 Stat. 954, prohibited willful accumulation of excess crude, etc., oil during severe energy supply interruption.

Section 760f, Pub. L. 93-159, §17, as added Pub. L. 94-163, title IV, §460, Dec. 22, 1975, 89 Stat. 955, authorized President to amend regulations requiring allocation of asphalt, and thereafter to exempt asphalt from such regulation.

Section 760g, Pub. L. 93-159, §18, as added Pub. L. 94-163, title IV, §461, Dec. 22, 1975, 89 Stat. 955, provided for conversion of certain Presidential authority from mandatory to discretionary, for expiration of certain limitations, and for expiration, at midnight Sept. 30, 1981, of President's authority to promulgate and amend any regulation or to issue any order under this chapter, but such expiration not to affect any action or pending proceedings, administrative, civil, or criminal, not finally determined on such date, nor any administrative, civil, or criminal action or proceeding, whether or not pending, based upon any act committed or liability incurred prior to such expiration date.

Section 760h, Pub. L. 93-159, §19, as added Pub. L. 94-163, title IV, §462, Dec. 22, 1975, 89 Stat. 955, provided for reimbursement to States for implementation of delegated responsibilities.

CHAPTER 16B—FEDERAL ENERGY ADMINISTRATION

SUBCHAPTER I—FEDERAL ENERGY ADMINISTRATION

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SUBCHAPTER I—FEDERAL ENERGY ADMINISTRATION

§ 761. Congressional declaration of purpose

(a) Objectives

The Congress hereby declares that the general welfare and the common defense and security require positive and effective action to conserve scarce energy supplies, to insure fair and efficient distribution of, and the maintenance of fair and reasonable consumer prices for, such supplies, to promote the expansion of readily usable energy sources, and to assist in developing policies and plans to meet the energy needs of the Nation.

(b) Necessity for reorganization

The Congress finds that to help achieve these objectives, and to assure a coordinated and effective approach to overcoming energy shortages, it is necessary to reorganize certain agencies and functions of the executive branch and to establish a Federal Energy Administration.

(c) Creation of Federal Energy Administration

The sole purpose of this chapter is to create an administration in the executive branch, called the Federal Energy Administration, to vest in the Administration certain functions as provided in this chapter, and to transfer to such Administration certain executive branch functions authorized by other laws, where such transfer is necessary on an interim basis to deal with the Nation's energy shortages.

(Pub. L. 93-275, § 2, May 7, 1974, 88 Stat. 97.)

EFFECTIVE AND TERMINATION DATES

Section 30 of Pub. L. 93-275, as amended by Pub. L. 94-332, June 30, 1976, 90 Stat. 784; Pub. L. 94-385, title I, § 112(a), Aug. 14, 1976, 90 Stat. 1132; Pub. L. 95-70, § 6, July 21, 1977, 91 Stat. 277, under which this chapter became effective sixty days after May 7, 1974, and was to terminate Sept. 30, 1978, was repealed by Pub. L. 95-91, title VII, § 709(a)(1), Aug. 4, 1977, 91 Stat. 607.

SHORT TITLE OF 1977 AMENDMENT

Pub. L. 95-70, § 1, July 21, 1977, 91 Stat. 275, provided that: "This Act [enacting sections 788 and 789 of this title and amending sections 766 and 792 of this title, sections 6246, 6309, and 6881 of Title 42, The Public Health and Welfare, and notes under this section] may be cited as the 'Federal Energy Administration Authorization Act of 1977'."

SHORT TITLE OF 1976 AMENDMENT

Pub. L. 94-385, title I, § 101, Aug. 14, 1976, 90 Stat. 1127, provided that: "This title [enacting sections 787, 790 to 790h of this title, amending sections 757, 764, 766, 772, 774, 777 and 784 of this title and sections 5818, 6211 and

6295 of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under this section and sections 753, 757, and 790 of this title] may be cited as the 'Federal Energy Administration Act Amendments of 1976'."

SHORT TITLE

Section 1 of Pub. L. 93-275 provided that: "This Act [enacting this chapter and provisions set out as notes under this section] may be cited as the 'Federal Energy Administration Act of 1974'."

SEPARABILITY

Section 27 of Pub. L. 93-275 provided that: "If any provision of this Act [this chapter], or the application thereof to any person or circumstance, is held invalid, the remainder of this Act [this chapter], and the application of such provision to other persons or circumstances, shall not be affected thereby."

TRANSFER OF FUNCTIONS

Federal Energy Administration terminated and functions vested by law in Administration or in its Administrator, officers, and components transferred to Secretary of Energy (unless otherwise specifically provided) by sections 7151(a) and 7293 of Title 42, The Public Health and Welfare.

AUTHORIZATION OF APPROPRIATIONS

Section 29 of Pub. L. 93-275, as amended by Pub. L. 94-385, title I, § 110, Aug. 14, 1976, 90 Stat. 1130; Pub. L. 95-70, § 2, July 21, 1977, 91 Stat. 275, provided that:

"(a) There are authorized to be appropriated to the Federal Energy Administration the following sums:

"(1) subject to the restrictions specified in subsection (b), to carry out the functions identified as assigned to Executive Direction and Administration of the Federal Energy Administration as of January 1, 1977—

"(A) for the fiscal year ending September 30, 1977, not to exceed \$35,627,000; and

"(B) for the fiscal year ending September 30, 1978, not to exceed \$41,017,000.

"(2) to carry out the functions identified as assigned to the Office of Energy Information and Analysis as of January 1, 1977—

"(A) for the fiscal year ending September 30, 1977, not to exceed \$34,971,000; and

"(B) for the fiscal year ending September 30, 1978, not to exceed \$43,544,000.

"(3) to carry out the functions identified as assigned to the Office of Regulatory Programs as of January 1, 1977—

"(A) for the fiscal year ending September 30, 1977, not to exceed \$62,459,000; and

"(B) for the fiscal year ending September 30, 1978, not to exceed \$62,459,000.

"(4) to carry out the functions identified as assigned to the Office of Conservation and Environment as of January 1, 1977 (other than functions described in part A [section 6861 et seq. of Title 42, The Public Health and Welfare] and part D [section 6881 et seq. of Title 42] of title IV of the Energy Conservation and Production Act, parts B [section 6291 et seq. of Title 42] and C [section 6321 et seq. of Title 42] of title III of the Energy Policy and Conservation Act and, for the fiscal year ending September 30, 1977, functions described in title II of the Energy Conservation and Production Act [section 6801 et seq. of Title 42] and in paragraph (7) of this subsection)—

"(A) for the fiscal year ending September 30, 1977, not to exceed \$38,603,000; and

"(B) for the fiscal year ending September 30, 1978, not to exceed \$46,908,000.

"(5) to carry out the functions identified as assigned to the Office of Energy Resource Development as of January 1, 1977—

"(A) for the fiscal year ending September 30, 1977, not to exceed \$16,934,000; and